

**REMARKS**

Claims 1, 2, 5-14 are pending in this case. Reconsideration of the application is respectfully requested in light of the above amendments and the following remarks.

This amendment is responsive to the Final Office Action mailed March 18, 2004. In that Office Action, claims 1, 2, 4-14 and 27-42 were examined; claims 1, 2, 4-14, were rejected under 35 U.S.C. § 102(e) as being unpatentable over Johnston, Jr. et al., (U.S. Pat. No. 6,104,391, hereinafter "Johnston"); and claims 27-42 were withdrawn by the Examiner as directed to an independent invention.

Claim Amendments

Applicants herein amend claims 1 and 10 to more distinct describe the theme handle as a reference to a predetermined set of appearance characteristics stored in an internal structure. Claims 2, 5 and 12 are amended herein to be consistent with the amendments of claims 1 and 10. Support for these amendments is found on FIG. 1, and on page 19, lines 12-23, among other places, in the specification.

Applicants further amend claim 1 to require that the theme handle be provided to the appearance manager with the rendering service request. Support for this amendment may be found in claim 4 and other places in the specification.

Applicants herein cancel claims 4, and 27-42. Applicants reserve the right to pursue the subject matter of the canceled claims in a timely filed continuing application.

Rejections Under 35 U.S.C. § 102(e)

The Examiner maintained his rejection of claims 1, 2, 4-14 under 35 U.S.C. § 102(e) as being unpatentable over Johnston stating that "the features [of the theme handle] upon which the applicant relies are not recited in the rejected claims" (Page 3).

Applicants herein amend the claims to recite features that distinguish Applicants' claimed invention from the prior art. Specifically, Applicants herein amend the claims to define the theme handle as a reference to a predetermined set of appearance characteristics stored in an internal structure. Applicants further amend Claim 1 to require that the theme handle be provided by the appearance manager with the request rendering service request.

Applicants believe that Johnston does not anticipate the claims as amended. Johnston does not disclose the use of a theme handle as now defined when a "client (corresponding with the application 38) instructs the graphics subsystem 56 (which is associated with management 40) to render pattern associated with the object" as described in col. 5, line 65 to col. 6, line 6.

Johnston does not suggest or disclose a theme handle as a reference to a predetermined set of appearance characteristics stored in an internal structure as now claimed in amended independent claims 1 and 10. Rather, Johnston discloses modifying actual drawing pointers or the data accessed by pointers as necessary to effect a theme change when rendering objects.

Johnston does not disclose the passing of a theme handle, as defined above, as part of a render service request from a graphical component library as now claimed in amended claim 1. Johnston discloses making the same rendering requests regardless of the current theme.

Johnston does not disclose the issuing of a request for a theme handle as now claimed in claim 10. Johnston teaches changing themes via user selection. In response, pointers 44 and/or data accessed by pointers 44 are modified to effect the changing the drawing procedures. Johnston does not teach or suggest an application 38 that queries an appearance manager for a theme handle.

In light of the amendments and for the reasons above, Applicants believe that amended claim 1 is in a condition for allowance. Therefore, the Applicants respectfully request that the Examiner withdraw his rejection and find amended claim 1, and its pending dependent, i.e., claims 2 and 5-9, in allowable form. Applicants further believe that claim 10 is in a condition for allowance. Therefore, Applicants

respectfully request that the Examiner withdraw his rejection and find claim 10, and its pending dependent claims, i.e., 11-14, in allowable form.

Election/Restriction Requirement

The Applicant herein cancels previously withdrawn claims 27-42 without prejudice. The Applicant reserves the right to resubmit and prosecute these claims separately in a suitable continuation application in the future.

Conclusion

In light of the foregoing remarks, it is believed that the application is in condition for allowance and thus prompt allowance is respectfully solicited. Should the Examiner have any remaining questions, he is encouraged to contact the undersigned attorney at the telephone number below to expeditiously resolve such concerns. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

Date

5/18/04

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PATENT TRADEMARK OFFICE

George C. Lewis, Reg. No. 53,214  
Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(303) 357-1639  
(303) 357-1641 (fax)